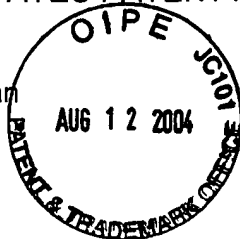


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Rachelle B. Herdman	)	Examiner:	Al-Hashemi, Sana
Serial No.:	09/934,955	)	Art Unit:	2171
Filed:	08/21/2001	)	Attorneys Ref.:	P213892
Title:	Systems and Methods for Distributing Personalized Information Over a Communications System	)		



**AMENDMENT**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed May 14, 2004. It is believed that no other fee is due at this time to maintain the application in full force and effect. However, if any such fee or charge is due, please charge this fee to Deposit Account No. 502099.

Please amend the application as described herein.

**REMARKS**

This Amendment is filed in response to the Office Action mailed on May 14, 2004, in connection with this case. In that Office Action, the Examiner rejected claims 1-3 under 35 U.S.C. 103(a) based on U.S. Patent No. 6,681,344 to Andrew in view of U.S. Patent No. 6,456,303 to Walden et al. The Applicant has amended claim 1 to distinguish the present invention over the cited combination.

In particular, the Applicant has amended claim 1 to emphasize one species of the present invention in which the invention is embodied as a health education system. In this context, the system builds a customized list of health solution elements related to a user. The example system recited in claim 1 comprises a question database

containing health questions, a solution database containing health solution elements, and links associating health questions with one or more health solution elements. The user enters user health data related to the health of the user. The user also selects one or more health questions related to the health of the user. Based on the user health data, the selected health questions, and the links, the system generates for the user the customized list of health solution elements.

The Andrew and Waldon et al. patents are both directed to the distribution of information related to computer software programs. In particular, the Andrew and Waldon et al. systems are specifically directed to the distribution of help and support information related to computer software programs. The Andrew and Waldon et al. patents do not disclose, teach, or suggest that the system disclosed in these patents could have any application to the distribution of health information.

The Applicant thus respectfully submits that the Andrew and Waldon et al. patents, taken alone or in combination, do not disclose, teach, or suggest the health education system recited in claim 1. The Applicant thus respectfully submits that the amendments to claim 1 render moot the rejection thereof and requests withdrawal of the rejection of claim 1 based on the combination of Andrew and Waldon et al.

Claims 2 and 3 have been amended to correspond to the language of amended claim 1. Claims 2 and 3 further define claim 1 and should also be in condition for allowance. Claims 4-19, which are newly presented by this Amendment, also further define claim 1 and should be in condition for allowance.

Submitted herewith is a document entitled Exhibit A - Listing of All Claims and Amendments (dated 8/9/2004) containing a listing of the claims as currently presented. The Listing attached herewith contains the text of each pending claim, along with any amendments made hereby (illustrated using strikethrough and underlining) and the status of each pending claim. The Listing also contains amendments made to the specification.

Given the foregoing, the Applicant respectfully submits that currently pending claims 1-19 are in condition for allowance, and such allowance is respectfully requested. If there is any matter which could be expedited by consultation with the

Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington this 9<sup>th</sup> day of August, 2004.

Respectfully submitted,

Rachelle B. Herdman

By Michael R. Schacht  
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CERTIFICATE OF MAILING  
37 C.F.R. §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Signature: Gloria Smithey  
Print Name: Gloria Smithey  
Date: August 9, 2004